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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
Key Colony Beach, Key Largo and)
Marathon, Florida)

MM Docket No. 93-136
RM-8161; 8309, 8310

TO: Chief, Allocations Branch

COMMENTS ON COUNTERPROPOSAL

Sterling Communications Corp., licensee of Station WSGL(FM), Naples, Florida ("WSGL"), by its attorney, herewith submits its Comments concerning the "Joint Comments and Counterproposal" filed herein on July 26, 1993, by Okeechobee Broadcasters, Inc. (WOKC-FM, Indiantown, Florida); Sunshine Broadcasting, Inc. (WSUV-FM, Fort Myers Villas, Florida); and Jupiter Broadcasting Corporation (WADY-FM, Jupiter, Florida), hereinafter collectively referred to as "Joint Proponents." Public Notice of that filing was given on August 6, 1993 (Report No. 1958), and a 15-day comment period established.

Joint Proponents request that the Commission amend the FM Table of Allotments as follows:

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List A B C D E

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	<u>Channel No.</u>	
	<u>Present</u>	<u>Proposed</u>
Indiantown	276C2	276C1
Naples	276C3	292C3
Fort Myers Villas	292A	275C2
Clewiston	292A	258A
Jupiter	258A	292C3

Sterling is the licensee of Station WSGL, Naples, which is currently licensed for Channel 276A and holds a permit for Channel 276C3 (BPH-920527IG, granted January 8, 1993), which it is in the process of constructing. Sterling is not necessarily opposed to the Joint Proponents' counterproposal: However, we note that the Joint Proponents have made no commitment to reimburse Sterling whatever costs it would incur in effecting the channel change which they propose -- a somewhat surprising omission, given that they have specifically assumed such an obligation as to the Clewiston, Florida licensee, Glades Media Company. Indeed, as the Notice of Proposed Rulemaking herein stated (at ¶4):

"Whenever an existing licensee or permittee is ordered to change frequencies in order to accommodate a new channel allotment, Commission policy requires the benefitting party to reimburse the affected station for the costs incurred."

Presumably, the Joint Proponents' omission in this respect was the result of oversight, and may be cured by a supplemental filing.

Sterling further notes that the Joint Proponents' Engineering Statement, at Exhibit "B", has utilized incorrect

coordinates for WSGL's outstanding authorization: The correct coordinates are 26° 07' 33" N, 81° 43' 17" W. These coordinates vary by only one second of latitude and longitude from those utilized by the Joint Proponents, and thus their correction would not apparently affect the conclusion reached.¹

Respectfully submitted,

STERLING COMMUNICATIONS CORP.

By:


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Its Attorney

August 23, 1993

¹ We also note that in neither Exhibit "B" or Exhibit "E" of the Engineering Statement (the latter portraying relevant spacings to the proposed allotment of Channel 292C3 to Jupiter) do the Joint Proponents show the spacing between that proposed Jupiter allotment and the proposed 292C3 allotment to Naples.

CERTIFICATE OF SERVICE

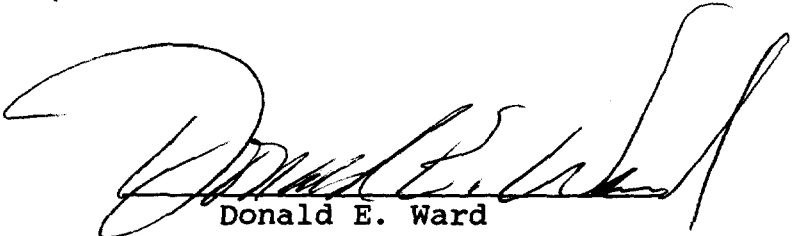
I, Donald E. Ward, do hereby certify that I have this 23rd day of August, 1993, caused to be served by first class United States Mail, postage prepaid, a copy of the foregoing "Comments on Counterproposal" upon the following parties:

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